

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.27749 of 2018

Arising Out of PS.Case No. -116 Year- 2001 Thana -SHAMBHUGANJ District- BANKA

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1. Rama Nand Rai, Son of Umesh Rai, a resident of Village- Chhatrhar Police Station- Shambhu Ganj, District- Banka.
 2. Shew Kumar Rai alias Shew Kumar Tsi, Son of Sukdeo Rai, a resident of Village- Jagatpur, Police Station & District- Banka.
 3. Udai Maharaj alias Uday Kumar Maharaj, Son of Gajendra Maharaj. a resident of Village- Alamnagar, Police- Station- Alamnagar, District- Madhepura, at present resident of Satsang Chowk, Police Station- Deoghar, District- Deoghar (Jharkhand).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh, Advocate

For the Opposite Party/s : Mr. Nand Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-05-2018 Heard the parties.

The petitioners seek anticipatory bail in connection with Shambhugunj P.S.Case No. 116 of 2001, registered for offences punishable under Section 438 Cr.P.C.

Allegation against the petitioners is of kidnapping the daughter of the informant in order to grab the land of the share of the son of the informant.

Learned counsel for the petitioners submits that after investigation the case has not been found true and the police has recommended for taking action against the informant under



Sections 182/211 of the Indian Penal Code and in the opinion of the police, cognizance has been taken.

Learned A.P.P. opposes the prayer for bail .

Having heard both sides and in view of the facts that let the petitioners above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate- IV, Banka in connection with Shabhu Ganj P.S.Case No. 0116 of 2001, subject to the condition that as laid down under Section 438 (2) of the Code of Criminal procedure.

With following conditions:-

- i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- ii) The petitioners will not induce any witness or tamper with the evidence.
- iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police,



otherwise, the prosecution is free to move for
cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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